



House of Representatives

General Assembly

File No. 128

January Session, 2007

House Bill No. 5927

House of Representatives, March 26, 2007

The Committee on Energy and Technology reported through REP. FONTANA, S. of the 87th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING CELLULAR TOWERS IN RESIDENTIAL ZONES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective from passage*) (a) On or before January 1,
2 2008, the Connecticut Siting Council, upon the request of a
3 municipality, shall develop a local telecommunications coverage
4 assessment for that municipality. Such assessment shall identify
5 locations within said municipality that provide inconsistent or
6 nonexistent telecommunications coverage and an analysis of existing
7 and projected demands for telecommunications coverage within said
8 municipality.

9 (b) On or before January 1, 2008, each provider of
10 telecommunications services, upon the request of the Connecticut
11 Siting Council, shall submit to said council all information concerning
12 (1) locations within a particular municipality that provide inconsistent
13 or nonexistent telecommunications coverage, and (2) said provider's
14 existing and projected demands for telecommunications coverage

15 within said municipality. Such information shall be used solely to
 16 prepare the assessment required under subsection (a) of this section.
 17 Such information shall not be subject to disclosure under the Freedom
 18 of Information Act, as defined in section 1-200 of the general statutes.

19 Sec. 2. (NEW) (*Effective from passage*) (a) When notifying a
 20 municipality pursuant to section 16-50p of the general statutes of an
 21 application for a telecommunications tower in said municipality, the
 22 Connecticut Siting Council shall request that the municipality provide
 23 to said council, within thirty days, any location preferences or criteria
 24 for the siting of said telecommunications tower.

25 (b) When evaluating an application for a telecommunications tower
 26 within a particular municipality pursuant to said section 16-50p, the
 27 Connecticut Siting Council shall consider any location preferences or
 28 criteria (1) provided to the siting council pursuant to subsection (a) of
 29 this section, or (2) that may exist in the zoning regulations of said
 30 municipality as of the submission date of the application to the council.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	New section

ET *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill requires the Connecticut Siting Council (CSC) to develop a local telecommunications coverage assessment upon any municipality's request. This is already performed approximately six times a year, and does not require additional resources. Moreover, it requires municipalities to submit preferences for cellular tower locations to CSC, which has no fiscal impact.

The bill also prescribes certain informational reporting requirements for the private telecom industry, which has no fiscal impact.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5927****AN ACT CONCERNING CELLULAR TOWERS IN RESIDENTIAL ZONES****SUMMARY:**

This bill requires the Siting Council, by January 1, 2008, to develop a telecommunications coverage assessment for a municipality upon its request. The assessment must (1) identify locations in the municipality that do not have coverage or have inconsistent coverage and (2) analyze existing and projected demands for coverage in the municipality.

The bill requires each telecommunications services provider, by January 1, 2008, to submit to the council, at its request, all information on (1) locations in the municipality that do not have coverage or have inconsistent coverage and (2) the provider's existing and projected demand for coverage in the municipality. This information can be used only to prepare the assessment.

The bill also requires that the council request that a municipality that is the proposed site of a tower submit its location preferences or criteria to the council within 30 days after a tower application is filed with the council. (By law, all entities regulated by the council must consult with the proposed host municipality before filing their application with the council.) The bill requires the council to consider the location criteria and preferences that the municipality submits or those that were in its zoning regulations as of the date of the application.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Energy and Technology Committee

Joint Favorable

Yea 22 Nay 0 (03/08/2007)